

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Big Stone Gap DIVISION

CLERK'S OFFICE U.S. DISTRICT COURT
AT ABINGDON, VA
FILED

JUN 30 2017

JULIA C. DUDLEY, CLERK
BY: [Signature]
DEPUTY CLERK

Melinda Scott

Plaintiff(s),

v.

Wise County Commonwealth
Attorney, et al.

Defendant(s).

(Enter the full name(s) of ALL parties in this lawsuit.

Please attach additional sheets if necessary).

Civil Action No.:

(To be assigned by Clerk of District Court)

2:17-cv-00023

COMPLAINT

PARTIES

1. List all Plaintiffs. State the full name of the Plaintiff, address and telephone number. Do the same for any additional Plaintiffs.

a. Plaintiff No. 1

Name:

Melinda Scott

Address:

PO BOX 1133-2014 PMB87 Richmond, VA 23218

Telephone Number:

540-692-2342

b. Plaintiff No. 2

Name:

Address:

Telephone Number:

Additional name of
Defendant(s):

c. Defendant No. 3

Lolcow, LLC

Joshua Moon

3750 Don Janeal Road

Pensacola, FL 32526

2. List all Defendants. State the full name of the Defendant, even if that Defendant is a government agency, an organization, a corporation, or an individual. Include the address where each Defendant may be served. Make sure that the Defendant(s) listed below are identical to those contained in the above caption of the complaint.

a. Defendant No. 1

Name: Wise County, VA Commonwealth Attorney
Address: Wise County Courthouse, St. 123 ^{Wise, Virginia} 24293

b. Defendant No. 2

Name: Western District of VA US Attorney
Address: 180 W Main St., Abingdon, VA 24210

NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES AND ADDRESSES ON A SEPARATE SHEET OF PAPER.

Check here if additional sheets of paper are attached: ☒

Please label the attached sheets of paper to correspond to the appropriate numbered paragraph above (e.g. Additional Defendants 2.c., 2.d., etc.).

JURISDICTION

Federal courts are courts of limited jurisdiction. Generally, two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount of damages is more than \$75,000 is a diversity of citizenship case. Federal courts also have jurisdiction over cases where the United States is a Defendant.

3. What is the basis for federal court jurisdiction?

☐ Federal Question

☐ Diversity of Citizenship

☒ Government Defendant

4. If the basis for jurisdiction is Federal Question, which Federal Constitution, statutory or treaty right is at issue? List all that apply.

n/a

5. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party? Each Plaintiff must be diverse from each Defendant for diversity jurisdiction.

Plaintiff No. 1: _____ State of Citizenship: _____

Plaintiff No. 2: _____ State of Citizenship: _____

Defendant No. 1: _____ State of Citizenship: _____

Defendant No. 2: _____ State of Citizenship: _____

Attach additional sheets of paper as necessary and label this information as paragraph 5. Check here if additional sheets of paper are attached. ☐

STATEMENT OF THE CLAIM

Describe in the space provided below the basic facts of your claim. The description of facts should include a specific explanation of how, where, and when each of the defendants named in the caption violated the law, and how you were harmed. Do not give any legal arguments or cite cases or statutes. Each paragraph must be numbered separately, beginning with number 6. Please write each single set of circumstances in a separately numbered paragraph.

6. Motion for Relief

- a. The Plaintiff is the Victim of a Crime. The crime the Plaintiff is a victim of is Cyber Stalking. Pursuant to 18 US Code 3771, Plaintiff petitions this Honorable Court to assert her rights and request relief. Plaintiff states that the Defendants have deprived her of her rights under 18 US Code 3771 (a)(1).

b. Wherefore, Plaintiff requests the following relief:

1. That this Honorable Court Order the Wise County Commonwealth Attorney to petition the Office of the Secretary of the Commonwealth to extradite an active Arrest Warrant against Andrew Carlson. The Plaintiff requests this relief because Andrew Carlson continues to CyberStalk, harass and put the Plaintiff in fear of bodily injury. The lack of action by the Wise County Commonwealth's Attorney has resulted in continued Stalking of the Plaintiff which has escalated to Andrew Carlson tracking down the Plaintiff's home address.

2. That this Honorable Court

Order the US Attorney (Western District of Virginia) to prosecute Andrew Carlson for violating 18 US Code 2261A. The FBI began investigating the Plaintiff's complaints regarding Cyberstalking in August of 2016. The FBI has verbally acknowledged to the Plaintiff they are aware that Andrew Carlson has violated 18 US Code 2261A. The Plaintiff has supplied the FBI with an abundance of evidence demonstrating Andrew Carlson is Cyberstalking her and putting her in fear of bodily injury. However, after being told by the FBI that they had to discuss the case with the US Attorney, nothing has been done. Andrew Carlson has not been tried for Cyberstalking in any Court. In the absence of

action by the FBI or the
US Attorney Andrew Carlson
has relentlessly and
aggressively continued to cyber-
stalk the Plaintiff, causing
mental and emotional injury.
The Plaintiff continues to
live in fear of death and
bodily injury.

Attach additional sheets of paper as necessary and label them as Additional Facts and continue to number the paragraphs consecutively. Check here if additional sheets of paper are attached. ☐

REQUEST FOR RELIEF

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking.

1. Plaintiff requests that this Honorable Court grant her the relief requested above. Further, Plaintiff requests pursuant to Federal Rule 5.2(d) and 5.2(e)(2) that this pleading and all other filings under this case be sealed so that Andrew Carlson cannot have access to it on Pacer.gov.

a. Plaintiff also petitions pursuant to 18 US Code 1514 that a restraining order against Lowcow, LLC be filed to remove all online postings published by Joshua Moon that are aimed at harassing the Plaintiff as a victim of CyberStalking.

DEMAND FOR JURY TRIAL:

☐ YES

☒ NO

Signed this 25th day of June, 2017.

Signature of Plaintiff No. 1



Signature of Plaintiff No. 2

NOTE: All Plaintiffs named in the caption of the complaint must date and sign the complaint. Attach additional sheets of paper as necessary.